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In Mellow Mood?

Before the day is over the eminent diagnostician whose peregrinations have recently enlivened the West Indian isles will apply to the electorate his long suffering country the preliminary tests for the revelation of his mood. If that be sufficiently heroic to satisfy the professional judgment of the observer, we may be prepared for a commendatory word and the administration of a potion neither unpalatable nor unbecoming.

But—and such a morbid condition is a case presenting many disquieting symptoms—if the patient betrays signs of lethargy, lack of spirit, mental sloth and moral unreadiness, the prescription will unite the most powerful drugs in the pharmacopoeia without regard to the violence of their reaction or the disposition of the patient to assimilate them.

Without seeking to invade the sickroom, it is permissible to speculate whether, in either treatment, the skillful gentleman whose physical presence once more blesses his native land is preparing for the application of liberal quantities of an invaluable remedy produced in large quantities south of the Rio Grande, a stream which must not be confused with the River of Doubt.

Federal Regulation of the Dairy Business.

The Hon. J. CHARLES LINTHICUM, veteran Representative in Congress of the Fourth Maryland district, is a member of the House Committee on Foreign Affairs, on Pensions, and on Claims, Weights and Measures. But it is not on wars, past or present, or on the regulation of scales and bushel baskets that his present interest concentrates. Having been unable to get either the Department of Justice or the Congress to investigate the merger of the Federal League with "organized baseball," Mr. LINTHICUM became the father of H. Res. 137, which calls for an investigation of the production and marketing of dairy products.

To remedy the evils whose existence he deplores and seeks to terminate Mr. LINTHICUM asks the Congress to resolve that a committee of five shall be appointed to investigate and report whether prevailing conditions seriously menace health, whether Federal inspection and supervision are necessary, and, if so, by what means and methods such supervision should be managed.

If we have not enough committees and commissions of inquiry, municipal, State and Federal, poking into our private and public affairs, regulating diet and dress, manners and morals; summoning and examining witnesses, enforcing the submission in evidence of records, junketing through the land or drooling and drooling in secluded chambers—then by all means let us have this one more to save the contingent fund from fatty degeneration. The "growing sense of alarm among consumers" is not such as may be quoted by the creation of new and expensive investigating committees.

Baseball and beef having failed, the one definitely, the other presumably, to satisfy his yearning as an investigator, what will the Hon. J. CHARLES LINTHICUM take up next?

Closing the Gate to Needed Workers.

At any time the literacy test for immigrants to a country whose native labor supply is normally insufficient to meet the demands made on it would be unwise and demoralizing, but the suggestion that it be imposed by the United States under the circumstances now existing reaches the level of madness. Since last summer there has been an alarming shortage of workers. As spring progresses and outdoor activities are resumed the shortage has become more pronounced, until to-day many industries are face to face with a condition seriously threatening their efficiency.

Yet the House of Representatives, ignoring the grave questions that demand attention, is to-day engaged in debating a measure designed to exclude from a land that needs their services able bodied, vigorous, industrious men because through some accident of their childhood they do not possess the capacity to read the

printed page and to put their thoughts on paper. It is not pretended that these men would become public charges, that they are unskilled of mind, that they are lacking in understanding; they are to be penalized and this country punished because they have had no opportunity to acquire a desirable but by no means indispensable accomplishment.

Three Presidents have vetoed this measure. Mr. Wilson is one of them. None has had the duty of disproving it twice, and unless Congress behaves with a stupidity unusual even for a legislative body the privilege of returning the bill to its authors will be denied to him.

Railway Mail Pay.

Washington accounts agree that the railroad representatives who appeared before the Senate Committee on Post Offices and Post Roads made a strong presentation of the case against the proposal to change the method of paying the railways in carrying the mail. Whether or not the showing of the railroad officers will avail much with the Senate committee remains to be seen. From the standpoint of governmental honesty there is something discouraging in the fact that the Moon railway mail pay bill, having been defeated on its merits in various Congresses, has already sneaked through the present House of Representatives as a rider to the Post Office appropriation bill.

About the most satisfactory disposition which the Senate could make of the Moon rider, which aims to change the schedules of railway mail pay from a weight to a space basis, would be to accept the suggestion made at the committee hearings for a reference of the whole question of compensation to the Interstate Commerce Commission. It seems unlikely that until the Government body most expert in railway matters, the one particularly charged with the regulation of all interstate rates, passes on the terms of railway mail service there will be any settlement of a prolonged dispute in which the Government stands to-day with little credit.

There is fundamentally no reason why the Post Office Department, which is only a shipper in its mail forwarding capacity, even though a preferred shipper, should decide how much the railroads are to receive for carrying the mails. All the general circumstances of the railway mail pay question argue for an inquiry and report by the Interstate Commerce Commission.

Particular features of the Moon rider provoke suspicion. It is, over and over again, a bill which contemplates no one knows how much protection of the Government, through the parcel post, into business competition with the transportation lines after placing them at a disadvantage by the provisions of the proposed enactment. Inferentially there is more than a little menace of undertakings which may contribute directly to a movement for the Government ownership of the railroads.

Advocates of the Moon rider put themselves in the position of pretending that the railroads can keep the pace of compensation while the Government makes it. The measure proposes to make an increase of payment to the railroads over the amount which they have been receiving for mail service and at the same time effect a substantial saving for the Government. This alone is provocative of suspicion, for governmental ideas of economy, hitherto exemplified in the case of the railroads, have been represented by saving which has consisted of conferring deficits on the carriers.

At the least the Moon rider promises the mischief of assisting a profligate debtor to make a further evasion of his liabilities. As the record has been compiled the Government can hardly expect to postpone much longer an adequate remuneration of the railroads for the transportation of mail on the weight basis. If the space basis should be adopted several years more will probably be required to bring the accumulated proof of insufficient pay up to the point which evidence has now reached on the weight scale.

Medical Expert Evidence.

The New York *Law Journal* discusses editorially "Undeserved Dispute of Expert Evidence." In Perkins vs. the United States, tried in the Circuit Court of Appeals, December, 1915, a conviction of manslaughter was reversed, one of the errors assigned and sustained being that the trial judge had used the following language:

"Now, I charge you that expert testimony has fallen into what I might term in many respects an undeserved dispute. You see in the papers jokes about the experts, especially in cases of insanity. But I charge you that expert testimony is admissible by law, and it is very valuable within its proper limitations, and that is the expert testimony of a man who knows something from his own experience. . . . But when a man proceeds to speak expertly about matters not within his own knowledge and experience, then his testimony begins to be of less value. . . . If he says, 'I myself gave fifteen grains of chloral to a man and he became insane,' no one can dispute that that is testimony of very high character; but when he testifies from the books, showing the experience of another, you have no way of checking such observations, and what he states is only, so to say, hearsay testimony, unless it is corroborated by the witness's own experience."

In its condemnation of this instruction the Appellate Court quotes the

following from 1 Wigmore on Evidence, 782:

"To deny the competency of a physician who does not know his facts from personal observation alone is to reject medical testimony almost in its entirety. To allow any physician to testify who claims to know solely by personal experience is to appropriate the witness stand to impostors. Medical science is a mass of transmitted data; the generalizations are rare which are the result of one man's personal observation exclusively. The law must recognize the methods of medical science. It cannot stultify itself by establishing, for legal remedies, a rule never considered necessary by the medical profession itself. It is enough for a physician, testifying to a medical fact, that he is by training and occupation a physician; whether his source of information for that particular fact is in part or entirely the hearsay of his fellow practitioners and investigators is immaterial."

It would appear to the average mind that the law would really stultify itself by adopting rules adopted by the medical profession for its guidance, because, as the trial judge well said, "twenty years ago we could read the positive information that malaria proceeded from what they called miasm or bad water, and to-day they tell you that it proceeds from the bite of a mosquito. The same thing with yellow fever. Time was when they said that diphtheria proceeded from sewer gases, and now they tell you it is a distinct infection."

The frequent changes in medical theories and practice make testimony based upon books unreliable, and we agree with the trial judge that per se, in accepted works, offers the best expert testimony. Were personal observations regarded in their true light, juries would not be called upon to discuss evidence given by men who, owing to immature experience, draw opposing conclusions from books, as is too often the case in insanity trials. The European method of selecting men of high standing in their specialties, as referees in criminal trials, protects the public against confusing testimony, which often nullifies the working of justice.

Shackleton's Antarctic Expedition.

It is a relief to turn from the sanguinary deadlock of the war in Europe to Sir ERNEST H. SHACKLETON'S Antarctic expedition. He left England on September 19, 1914, to cross the Antarctic continent from Weddell Sea to Ross Sea by way of the south pole, hoping that when he returned to civilization to report his success the war would be over, with England on the winning side. Word now comes from Sydney that the explorer reached the shore of Ross Sea, and the inference is that he traversed the Antarctic continent.

It was Sir ERNEST SHACKLETON'S purpose, not to follow Scott's route to the south pole or AMUNDSEN'S, but to cross the great Victoria chain of mountains, a direction that would take him through an entirely unexplored part of the Weddell Quadrant. He was to march right across the continent, carrying his rations and equipment with him a distance of 1,700 miles without having a single cache and station to fall back upon after reaching the pole. Scott and AMUNDSEN planned to return to a base along a line of depots previously set up and marked, and Scott and his companions on the dash to the pole perished on the way back. But SHACKLETON would have to go on, his hope being that he would make a junction with the other section of his party starting from Ross Sea. If anything went wrong with either section disaster might overwhelm one or both. In the history of polar exploration there was never an enterprise so hazardous as that which SHACKLETON planned.

Before he sailed the leader said: "Except Dr. BRUCE'S discovery of Cont's Land in 1904 and the result of the Filchner expedition (1912) we know scarcely more of the Weddell Quadrant than we did in WENDEL'S day. It is a vast unexplored region." Sir ERNEST hoped to learn whether the Andes chain extended to Graham Land and to determine whether the Antarctic continent was a homogeneous mass or divided into two parts or more. He expected to obtain a great deal of geological and meteorological data. No expedition was ever better equipped. The personnel was of high class and carefully selected. No instrument or device that could be helpful was left behind.

On the way down from Buenos Ayres a set of meridian points was set up on South Georgia Island, so that mariners would be able to sail by true compass. Then Sir ERNEST'S section pressed through the ice pack, which was remarkably heavy for the season, indicating that the first winter would be unusually severe. The message from Sydney came at about the time it was expected—March is the month to hear from Antarctic explorers who have a story to tell of achievement or failure, with a note of tragedy in it as a rule.

The Low Standard of Our Army Aviation.

Mr. W. STERLING BURGESS of Marblehead, the aeronaut and aeroplane builder, expects too much of Colonel SAMUEL REBER'S aero squadrons in Mexico or elsewhere. No one has been so severe upon the flying machines operating in Chihuahua as Mr. BURGESS. "In a real battle," he says, "one of those planes would not last two minutes against a modern fighting machine." This critic should understand that our army aviators are still being trained to fly; they have not yet been taught to fight. That is a stage that comes later. Mr. BURGESS goes on to remark:

"The United States army is away behind those of European countries in aeronautics. It is so far behind that if it were to start catching up to-morrow it would not reach an equal footing for at least four years."

LIFE OF THE SOLDIER.

Hard Work, and Lots of It, Says a Cavalry Veteran.

TO THE EDITOR OF THE SUN—SIR: Such letters as that of E. L. Hubbard in the *Sun* of March 18, 1916, are a variety of views, changing with the ebb and flow of the tide of events around us. No one can foresee where this condition will land us, or how the national verdict will crystallize. Whether this war had occurred or not, our problems were bound to be perplexing to ourselves and to an even greater extent to observers across the water. When an Englishman comes among us wishing to study America and Americans he usually goes to Washington and New York, possibly to Philadelphia and Boston. He meets our representative men in society, arts and politics, according to his taste. He has many opportunities to see our social and charitable institutions. He may go West and meet many of his own nation on Western prairies and on California ranches. He may also take a Southern trip and see the world's great plantations and winter resorts and come in contact with our aristocratic Americans. He will be told of our "hyphenated citizens," and may have opportunity to witness the political and labor problems. He may then feel that he understands to a large extent the conditions existing in this country. He will have passed only the outskirts.

The state of American life has been changing so fast of late that we ourselves cannot keep up with the changes. Twenty years ago our problems were comparatively simple. We were in the main Americans or foreigners, the latter more or less assimilated. There were very few "hyphenated" citizens, and the problem of living here in the land of their adoption, pursuing their modes of life, was not a serious one. There were no "hyphenated" citizens, and the problem of living here in the land of their adoption, pursuing their modes of life, was not a serious one. There were no "hyphenated" citizens, and the problem of living here in the land of their adoption, pursuing their modes of life, was not a serious one.

Men in the army are pretty much like the rest of the time belongs to him; not to the army, not to the government, not to the nation, but to the man himself. He must be back for "check" at 10:45.

Assemblyman Everett's Sympathy.

Assemblyman EVERETT, on whom rests the not enviable distinction of introducing the four bills before the Legislature designed to free the vicious elements in this city's population of some of the restraints now imposed on them, thus explains his interest in their passage:

"While looking into the subject of real estate taxation in New York city I ran across cases of hotel property producing a small income but assessed at high value."

"The proprietors in several instances stated their business was being ruined by arbitrary police interference."

Mr. EVERETT is not the first, nor will he be the last, to state that he is persuaded that it might be profitable to relax the regulations by which the police endeavor to suppress the criminal population of the community. But the scheme does not work satisfactorily; the profits derived from official encouragement of immorality do not compensate the Government for the losses such a policy involves. The public effect of toleration is too costly to be ignored.

It appears, however, that Mr. EVERETT is concerned over small incomes obtained from premises "assessed at high values." The small incomes result from the activity of the police in repressing the most degraded criminals the law knows, and neither the city as a corporation nor its people as individuals will mourn the private distress of men who find it impossible to grow rich out of vice.

May the best man win!

So the subway might have been built with standard oil money had it not been for Mayor GAYNOR; and the innocent bystander needs no aid in bringing to his mind an understanding of the howls of anguish and protest seriously put forward would have elicited.

Will the Colonel start at once for the Mexican border?

Or will he go to the prize fight?

St. Louis, Mo., is to have a "Dress Up" week. The startling discovery has been made by St. Louis tailors that while the women of that city are remarkably stylish, the average male inhabitant is careless of his attire and pays little attention to current fashions. As it is well known that Missourians cannot be convinced except by a demonstration, St. Louis tailors insist upon the setting aside of at least one day a year during which they may employ various methods for convincing their fellow citizens that only the man who is well dressed is always well received. When the Democratic national convention meets in St. Louis in June it is possible that there will be in evidence Missourians who look as if they had come from New York.

"President RICHARD FOLSON CLAYLAND, son of Governor CLAYLAND, of Iowa," President of Princeton's freshmen, only; but an excellent start, young man.

CHANGING AMERICA.

With the Great Influx of Many Races Our Problems Are More Complex.

TO THE EDITOR OF THE SUN—SIR: There is no real American opinion in our country any longer. A variety of views, changing with the ebb and flow of the tide of events around us. No one can foresee where this condition will land us, or how the national verdict will crystallize. Whether this war had occurred or not, our problems were bound to be perplexing to ourselves and to an even greater extent to observers across the water. When an Englishman comes among us wishing to study America and Americans he usually goes to Washington and New York, possibly to Philadelphia and Boston. He meets our representative men in society, arts and politics, according to his taste. He has many opportunities to see our social and charitable institutions. He may go West and meet many of his own nation on Western prairies and on California ranches. He may also take a Southern trip and see the world's great plantations and winter resorts and come in contact with our aristocratic Americans. He will be told of our "hyphenated citizens," and may have opportunity to witness the political and labor problems. He may then feel that he understands to a large extent the conditions existing in this country. He will have passed only the outskirts.

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Why One Citizen Cannot Wish Germany Success.

TO THE EDITOR OF THE SUN—SIR: In spite of the remonstrances of E. W. Sargent in a letter to THE SUN I hold that Miss Edith M. Thomas is amply justified in asserting that "We Americans do not wish Germany to succeed in her present war." Even stupidity or ignorance cannot be pleaded in justification of pro-Germanism on the part of any true American. It is a disgraceful thing when he or his ancestors came to this country.

Speaking for Americans.

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AMERICA FIRST.

No Foreign Alliance Wanted by the United States.

TO THE EDITOR OF THE SUN—SIR: The *Sun* has frequently denounced foreign born conspirators against the Government of the United States. The next task is to smother the American born conspirators. The late George Haven Putnam, who was once called the "German American" himself, has been found to be a German spy. He was found to be a German spy. He was found to be a German spy.

MONTREAL'S DISCOBOLUS.

Rebuked by a Poet, the City Made Amends to Neglected Art.

TO THE EDITOR OF THE SUN—SIR: The poem asked for by John W. Brown, Jr., in the *Canadian Spectator*, for the Montreal *Disco*, was published in 1878 or 1879, I think, in an English magazine. About ten years later it was reproduced in the *Questions and Answers* column of the *Disco*. I was in answer to a query, and my recollection is that it was then attributed to William Henry Herbert.

The Right Way to Oil a Clock.

TO THE EDITOR OF THE SUN—SIR: The method of oiling a clock is about as efficacious as that of some other experts who told us how to manage a fountain pen. I have heard "W's" method given with effect on the clock. The oil should be used and put on absorbent cotton inside the works.

Anecdote Caused by an Ineffective White Cat's Tail.

From the *Whitman Daily Observer*. Some people tell of ineffective animals. We have a few white cats at the house who roam at will, one in particular, when some white cat enters the house and door to door it will run for its life. It is as loud as any person; does same by wagging its tail against the door. Also it does it too often.

HUGHES OR ROOSEVELT.

An Anxious Republican Considers the Breaking of Precedents.

TO THE EDITOR OF THE SUN—SIR: This is a striking case of political iconoclasm. Precedents and traditions are shattered and ignored with amazing abandon. For one who wishes to see the worthy precedents and heritages of his country preserved the times are unusually disturbing and perplexing. It has come to a point where the people must choose which of two precedents should be broken for the sake of the country. Justice Hughes must in the near future leave the bench and accept the call of the people, or be entirely consistent with the traditional dignity of the court, thus allowing Theodore Roosevelt the opportunity to smash the greatest precedent of all; that is the belief of this country that no man should serve over two terms in the Presidency, and that no man is indispensable to this people.

Judges are made by Presidents. If Justice Hughes accepts the Republican nomination and is elected he will in all probability be called to resign after one year's service. During that time it will doubtless fall to his lot to appoint a number of Justices to the supreme bench and in the course of the process he will be a unit. When President Roosevelt is elected President of the United States again we shall have a strong, energetic, and determined man in the White House. With the Federal patronage in his skillful hands the court, the Congress and the people would be subjected to the influence of a man whose knowledge of human weaknesses, gathered from exceptional first hand experience, would make him a most formidable and dangerous political force.

Running Under a Deficit.

The aggregate of these four past classes of expenditure is \$3,992,000, which left an excess of income over expense of government for that year of \$7,471,000, or \$22,222 per capita. The expense of government shown in the statement did not include all the expenditures of the insular government for 1914.

Opera Tickets.

The Car at the Window Is Wicked—est When He Grins.

TO THE EDITOR OF THE SUN—SIR: W. B. Davis on opera tickets is right. Grand opera in New York is conducted for the very rich and the speculators. The remainder of the population of New York evidently have no business buying in, or else have no money to pay the speculators. I should like to go to the opera, but I have no money. I mean not such that I can afford to pay \$5 to \$10 for a ticket.

FUNSTON'S TASK.

Success Doubtful If He Is Not Allowed to Use the Railroad.

TO THE EDITOR OF THE SUN—SIR: Mr. Funston can be expected to carry through his campaign without absolute control of the railroad and occupying towns through which his dying country must pass is something that no military man can understand. The expedition will be a failure if the railroad is not controlled by the Carranza troops and officials. Villa will become a phantom and his evasion of our troops will be a success. The Carranza troops will be a success. The Carranza troops will be a success.

The Bard's Blank Verse Is Not Prose.

TO THE EDITOR OF THE SUN—SIR: The letter of James D. Howell on "Shakespeare's Blank Verse" is a most interesting and valuable contribution to the production of the plays, and for that matter, all plays, but an equally necessary contribution is the study of the language. If actors would only learn to speak Shakespeare's lines with some understanding of the language, they would give more satisfaction to genuine lovers of Shakespeare than they do at present.

Max Remove Garbage Pile.

The Appellate Division of the Supreme Court has decided to order the removal of the garbage pile at the corner of Broadway and 14th street. The court has decided to order the removal of the garbage pile at the corner of Broadway and 14th street. The court has decided to order the removal of the garbage pile at the corner of Broadway and 14th street.

BIG DEFICIT DELAYS INSULAR REFORMS.

Causes Dismissal of Many Americans, and Inefficiency Results.

FILIPINOS GOOD PEOPLE.

By OSCAR KING DAVIS.

MANILA, P. I., Jan. 25.—The progress of the insular Government has been derived chiefly from customs duties on imports and from excise taxation and licenses. There are a few other minor forms of taxation for the insular government, but they raise only a trifle of the revenue. The provincial governments receive the taxes on land, the poll taxes and part of the internal revenue, as well as certain direct, though irregular, aid from the insular Government.

The total amount of the insular government has never reached a high figure. In prosperous years it has run as high as \$2,000,000 pesos (\$120,000), and once or twice almost to \$3,000,000. That is roughly, something like 10 percent of the revenues of New York city and something under 2 percent of the annual revenue of Uncle Sam.

The expense statement of the insular auditor shows four main items of expenditure. These are general administration, the judicial department, the legislative and judicial establishment. These three branches absorbed \$2,282,785.76 pesos of the island revenues for 1914—a fraction more than 10 percent for administration, legislation and justice.

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